

1 SCOTT N. SCHOOLS, SC SBN 9990
United States Attorney
2 JOANN M. SWANSON, CSBN 88143
Assistant United States Attorney
3 Chief, Civil Division
EDWARD OLSEN, CSBN 214150
4 Assistant United States Attorney

5 450 Golden Gate Avenue, Box 36055
6 San Francisco, California 94102
Telephone: (415) 436-6915
FAX: (415) 436-6927

8 Attorneys for Defendants

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

The plaintiff, by and through his attorney of record, and defendants, by and through their attorneys of record, hereby stipulate, subject to approval of the Court, to the following:

25 (1) Defendants withdraw their motion to dismiss, which was filed on March 9, 2007.

26 (2) The parties ask this Court to vacate the June 5, 2007 hearing date on the defendants'

27 motion to dismiss

28 (3) The defendants will file an answer to the complaint on or before May 4, 2007.

STIPULATION
C07-0090-MJJ

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2 (4) The parties shall limit their discovery, if any, to 10 interrogatories and 10 requests for
3 admission, which shall be propounded by the close of business on May 4, 2007.

4 (5) The plaintiff will file a motion for summary judgment by July 3, 2007.

5 (6) The defendants will file an opposition/cross-motion by July 10, 2007.

6 (7) The plaintiff will file a reply/opposition by July 17, 2007

7 (8) The defendants will file a reply by July 24, 2007

8 (9) ~~The parties ask this Court for a hearing on August 7, 2007, at 9:30 a.m.~~

9 THE PARTIES' SUMMARY JUDGMENT MOTIONS ARE SET FOR HEARING ON
10 AUGUST 14, 2007 AT 9:30 A.M.

11 Date: April 27, 2007

Respectfully submitted,

12 SCOTT N. SCHOOLS
13 United States Attorney

14 /s/
15 EDWARD A. OLSEN
16 Assistant United States Attorney
17 Attorneys for Defendants

18 Date: April 27, 2007

19 /s/
20 ROBERT B. JOBE
21 Law Office of Robert B. Jobe
22 Attorneys for Plaintiff

ORDER

Pursuant to stipulation, IT IS SO ORDERED.

24 Dated: 5/3/07

Martin J. Jenkins
25 MARTIN J. JENKINS
26 United States District Judge